

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

Daniel J. Calanni, et al.

Application No. 10/692,393

Filed: October 23, 2003

For: HEAT EXCHANGER WITH INCREASED  
HEAT TRANSFER EFFICIENCY AND A  
LOW-COST METHOD OF FORMING THE  
HEAT EXCHANGER

Group Art Unit: 3753

Examiner: Allen J. Flanigan

INFORMATION DISCLOSURE  
STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants submit herewith information of which applicants are aware, which applicants believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR § 1.56.

This Information Disclosure Statement:

- (a) ☒ accompanies a RCE transmittal submitted herewith. 37 CFR § 1.97(a).
- (b) ☐ is filed within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 CFR § 1.491.
- (c) ☐ as far as is known to the undersigned, is filed before the mailing date of a first Office Action on the merits.

(d) ☐ is filed after the first office action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first, and is accompanied by either the fee (\$180) set forth in 37 CFR § 1.17(p) or a certification as specified in 37 CFR § 1.97(e), as checked below.

(e) ☐ is filed after the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and is accompanied by the fee (\$180) set forth in 37 CFR § 1.17(i)(1) and a certification as specified in 37 CFR § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the information disclosure statement.

[If either of boxes (d) or (e) are checked above, the following "certification" under 37 CFR § 1.97(e) may need to be completed.] The undersigned certifies that:

(f) ☐ Each item of information contained in the information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.

(g) ☐ No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this information disclosure statement.

A list of the patent(s) or publications(s) is set forth on the attached Form PTO-1449 (Modified). A copy of the items on PTO-1449 (Modified) is supplied herewith:

(h) ☐ each

(i) ☐ none

(j) ☒ only those listed below:

GB 1 498 621 A (Great Britain), DE 25 46 450 A1 (Germany), FR 2 078 558 A (France), EP 1 134 536 A2, (Europe) and EP 1 251 325 A2 (Europe).

Those patent(s) or publication(s) which are marked with an asterisk (\*) in the attached form PTO-1449 (Modified) are not supplied because they:

☐ were previously cited by or submitted to the Office in a prior application no. \_\_\_\_\_ filed \_\_\_\_\_ and relied upon in this application for an earlier filing date under 35 U.S.C. § 120 or

☒ are hereby waived pursuant to 37 CFR 1.98 (a)(2)(i) for all U.S. national patent applications filed after June 30, 2003.

A concise explanation of relevance of the described above and attached information is:

(k) ☒ not given

(l) ☐ given for each listed item

- (m) ☐ given for only non-English language listed item(s) [Required]
- (n) ☐ is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references [copy attached].

While the information disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR § 1.56, it is not intended to constitute an admission that the information referred to is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR § 1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR § 1.98 and MPEP § 609 and the Examiner is respectfully requested to consider the above-described and attached information.

Respectfully submitted,

Dated: 10-12-05

By: Mark C. Pickering  
Mark C. Pickering  
Reg. No. 36,239

Attorney for Assignee

Atty. Docket No: 200-65901 (PB030026AF)

P.O. Box 300  
Petaluma, CA 94953-0300  
Direct Telephone: (707) 762-5583  
Main Telephone: (707) 762-5500  
Facsimile: (707) 762-5504  
Customer No. 33402

<b>INFORMATION DISCLOSURE CITATION</b> <i>(Use several sheets if necessary)</i>				Docket Number (Optional) <b>200-65901 (PB030026AF)</b>		Application Number <b>10/692,393</b>	
<div style="position: relative; height: 100px;"> <div style="position: absolute; top: 0; left: 0; width: 100%; height: 100%; border: 1px solid black; border-radius: 50%; text-align: center; line-height: 100px; font-size: 2em; font-weight: bold;"> O I P E </div> <div style="position: absolute; bottom: 0; left: 0; width: 100%; height: 100%; border: 1px solid black; border-radius: 50%; text-align: center; line-height: 100px; font-size: 1.2em;"> OCT 12 2005 </div> </div>				Applicant(s) <b>Daniel J. Calanni, et al.</b>		Group Art Unit <b>3753</b>	
				Filing Date <b>October 23, 2003</b>			
<b>Express Mail Number EV590185600 US</b>							
<b>U.S. PATENT DOCUMENTS</b>							
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		*2,019,351	10/29/35	Lathrop	257	245	11/17/34
		*3,559,728	02/02/71	Lyman	165	55	11/29/68
		*3,829,945	08/20/74	Kanzler, et al.	29	157.3 D	07/11/73
		*4,040,804	08/09/77	Harrison	55	158	05/23/75
		*4,254,827	03/10/81	Forster, et al.	165	166	06/12/78
<b>U.S. PATENT APPLICATION PUBLICATIONS</b>							
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
<b>FOREIGN PATENT DOCUMENTS</b>							
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation YES NO
		GB 1 498 621 A	01/25/78	Great Britain	F28F	7/00	✓
		DE 25 46 450 A1	04/29/76	Germany	F28D	9/02	✓
		FR 2 078 558 A	11/05/71	France	H05K	5/00	✓
		EP 1 134 536 A2	09/19/01	Europe	F28D	9/00	✓
		EP 1 251 325 A2	10/23/02	Europe	F28D	9/00	✓
<b>OTHER DOCUMENTS</b> <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>							
EXAMINER				DATE CONSIDERED			
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

